

Please amend the specification and abstract pursuant to 37 C.F.R. § 1.121(b) and 1.125 by substituting the following revised specification and abstract for the original specification and abstract:

Descriptive Title Of Invention

Multi Plane Plumb Level

Background Of The Invention

The carpenters level is an ancient construction device used to assure carpenters and construction workers that the floors, walls, and other items they are installing or erecting in buildings or on land are level. More specifically, the present invention relates to the use of tradesmen for plumbing wall, studs, joists, pipes, fence posts, or anything that must be true vertical and true horizontal. Straight, level planes are an essential measurement in construction. In man's quest for a level foundation, leveling was established by a variety of methods such as water placed in a bowl, measurement via use of string, or by the human eye. More accurate design applications have evolved from these archaic devices and the basic fundamental need for horizontal and vertical measurement. Several patents, such as U.S. Patent Number D397,946, U.S. Patent Number ~~238,153~~ D238,153, and U.S. Patent Number 582,517 are examples of the evolution of the methods to obtain more accurate and reliable determinations of true horizontal and true vertical. In these examples of prior art, there are several embodiments of the carpenters level that depict levels with flat sides, levels that are notched on

one end, and levels notched on one or two sides. However, no single device is known (prior to this present invention) that has an (X) shaped body and swivel leveling vials to plumb, post plumb, or level in multiple planes. More specifically, the Multi Plane Plumb Level is equipped with several features that essentially take the carpenters level to the next level.

An example of these differences from prior art is that the Multi Plane Plumb Level, unlike those in prior art, is notched on all four sides (otherwise described as an Interfacing Triangular Design) so that it resists bending. In addition, the almost square shape of the Multi Plane Plumb Level results in it having a low center of gravity, which retards the toppling noted in situations where prior art levels are placed on flat surfaces. The Multi Plane Plumb Level has flip out vials allowing the invention to ~~have a simultaneous 45-degree to 45-degree plumbing capability~~ simultaneously plumb both sides of a 90 degree corner. This feature is unique to a framing level and is more accurate on the working plane than a bull's eye bubble. This results in the user being able to do "post plumb" and intersecting ~~45-degree~~ 90 degree angles without moving (toggling) the level from one plane to the other. ~~These~~ The 45-degree vials can be removed, used as a line level, and returned to its their position for easy storage and accessibility.

An additional feature of the Multi Plane Plumb Level is the ~~45-degree~~ 90-degree (V) groove which allows the level to balance with no support on non-flat objects such as but not limited to piping, round fencing, and apexes. The invention's

deep centerline also aids leveling odd angled surfaces. Adhesive magnets on the Multi Plane Plumb Level allow it to adhere to metal surfaces for hands-free maneuverability. In addition, the Multi Plane Plumb Level is equipped with protective end caps comprised of materials such as but not limited to rubber, which allows the invention to resist shock, scratch damage, and electrical conduction.

These features of the Multi Plane Plumb Level result in it being a practical and highly functional evolution of the carpenters level. In essence, the Multi Plane Plumb Level is virtually a one-stop shop for general construction and plumbing purposes. Overall, the Multi Plane Plumb Level embodies features that current rectangular, post, or spirit plumb levels cannot provide and essentially takes the carpenters level to the next level in design and functionality.

#### Brief Summary Of The Invention

The principle objective of the Multi Plane Plumb Level is to provide a device for use in plumbing or leveling horizontal and vertical planes in a simple, expedient, and precise manner. It is also the intent of the present invention to provide a practical evolution to the common level with its unique functionality and design features. Another objective is to give the user a device with a capability of several devices: a plumb level, a post level, and a carpenters level. The Multi Plane Plumb Level can accomplish the aforementioned objectives since it provides a portable multi-surface, multi-angled measurement device. In essence,

the Multi Plane Plumb Level, a multi-plane level that comes in various lengths, is a virtual one-stop shop for general construction and plumbing purposes.

The Multi Plane Plumb Level is formed by a rigid elongated (X) shape or, more specifically, four linear, centrally located, ~~45-degree~~ 90-degree intersecting grooves that run the total length of the device. This level has a low center of gravity which retards toppling on flat surfaces noted with prior art levels. Its unique (X) shape resists bending and the level's ~~45-degree~~ 90-degree (V) groove allows it to balance on non-flat objects without any support. The ~~45-degree~~ 90-degree (V) groove of the Multi Plane Plumb Level aids in leveling odd angled surfaces with its deep centerline. In the vertical direction, two of these identical opposing 90-degree grooves are fitted with flip out bubble vials that swivel from a locked parallel position, to a dueling ~~45-degree~~ 90-degree angle ~~that extends from the standard position.~~ In the horizontal direction, two identical opposing bubble vials are centrally located inside the standard section. In addition, two identically located opposing bubble vials are mounted on a 45-degree angle on the opposing end. These bubble vials provide simultaneous 45-degree to 45-degree pluming capability which is unique to prior art and is more accurate on the working plane than a bull's eye bubble. These flip out vials can be removed, used as a line level, and returned to its position for easy storage and accessibility. The Multi Plane Plumb Level is also equipped with adhesive magnets that allow it to adhere to metal surfaces for hands-free maneuverability. Lastly, the Multi Plane Plumb Level is equipped with protective end caps made

from materials such as but not limited to rubber which result in the invention being able to resist shock, scratch damage, and electrical conduction.

A level in accordance with the invention includes an elongated rigid frame having an X-shaped cross section with four elongated generally rectangular walls that are rigidly joined along an elongated central portion of the cross section and extend outward from the elongated central portion of the cross section. The elongated walls are uniformly rotationally spaced around the elongated central portion of the cross section at 90-degree angles to form 90-degree V grooves between facing pairs of walls. At least one level indicating bubble vial is secured to the frame and indicates when the frame has a particular orientation.

The level indicating vials preferably include a pair of flip out bubble vials mounted in opposing relationship in opposite front and rear V grooves, a pair of fixed bubble vials centrally located along the elongated central portion of the cross section and mounted in opposing relationship in the opposite front and rear V grooves and a pair of 45-degree fixed bubble vials mounted in opposing relationship in the opposite front and rear V grooves. The flip out bubble vials are hingedly secured to walls defining a lateral V groove between the front and back V grooves to allow the flip out bubble vials to be rotationally deployed from secured positions within the front and back V grooves to extended positions in which the flip out bubble vials align with and form an extension of the walls to which the flip out bubble vials are hingedly secured. The pair of flip out bubble vials are oriented transversely to the direction of elongation.

The centrally located pair of fixed bubble vials are oriented parallel to the

direction of elongation in opposing relationship within the front and back V grooves. The centrally located pair of fixed bubble vials are oriented for viewing through the front and back grooves, but apertures are provided in the four walls in the vicinity of the bubble vials to enable viewing through side grooves as well.

The pair of 45-degree bubble vials are located within the front and back V grooves in opposing relationship and oriented at an angle of 45 degrees to the direction of elongation.

#### Description Of Drawings

A better understanding of the invention may be had from a consideration of the following Detailed Description, taken in conjunction with the accompanying drawings in which:

FIG 1 is a horizontal perspective view of the Multi Plane Plumb Level in accordance with the present invention ~~embodiment~~ containing (6) tubular leveling bubbles ~~in accordance with present invention;~~

FIG 2 is ~~the~~ a vertical perspective view showing the action of the swivel vials in relation to a post or 45-degree planes. The rear is identical;

FIG 3 is an enlarged, ~~fragmentary,~~ cross section perspective view of the Multi Plane Plumb Level embodiment as it relates to the mechanics of the dueling swivel vials;

FIG 4 is ~~a fragmentary length perspective~~ front view of the Multi Plane Plumb Level embodiment as it related to the opposing round 45-degree bubble vials;

FIG 5 is a side top view of the embodiment showing the swivel vial, center mounted magnet stand, center mounted vial, and a circular 45-degree angled bubble vial. The rear opposite side is identical; and

FIG 6 is a fragmentary perspective frontal-side view of the Multi Plane Plumb Level embodiment. The rear is identical; .

#### Detailed Description Of The Invention

~~As shown in the drawings~~ Referring now to Figs. 1 through 6, the preferred Multi Plane Plumb Level 10 in accordance to with the present invention includes a portable geometrical frame 4 12 of (X) shape cross section, which is preferably (but not limited to) aluminum or stress-resistant plastic material. The frame 12 has four elongated walls 20, 22, 24 and 26 that are joined along an elongated central portion 28 of the X shaped cross section and extend radially outward from the central portion 28. The walls 20-26 have a uniform angular spacing between facing pairs of walls.

~~The opposing 45-degree~~ A front 90-degree V groove 30 is formed between Walls 20 and 22, a side 90-degree V groove 32 is formed between walls 22 and 24, a rear 90-degree V groove 34 is formed between walls 24 and 26 and a side 90-degree V groove 36 is formed between walls 26 and 20. grooves of the Multi Plane Plumb Level 7 are exposed as such to snugly hold

A front swivel base assembly 40 includes a front swivel base 42 that is secured to walls 20 and 22 within groove 30 and supports a front bracket 44 which in turn holds a front swivel bubble vial 46 that is oriented transverse to the

elongated central portion 28 of frame 12. Front bracket 44 is hingedly secured to front swivel base 42 by a swivel pin 48 that allows front bracket 44 to rotate between a secured position shown in Figs. 2 and 3 by solid lines and an extended position that is shown in Figs. 2 and 3 by dashed lines. A locking dimple or mechanism 50 secures front bracket 44 in a secured or locked position in which front bracket 44 remains flush with the frame 12.

A rear swivel base assembly 60 is disposed in opposing relationship to front swivel base assembly 40 and has the same construction as front swivel base assembly 40. Rear swivel base assembly 60 includes a rear swivel base 62 that is secured to walls 24 and 26 within groove 34 and supports a rear bracket 64 which in turn holds a rear swivel bubble vial 66 that is oriented transverse to the elongated central portion 28 of frame 12. Rear bracket 64 and rear bubble vial 66 are in opposing relationship to front bracket 44 and front bubble vial 46 when both bracket 64 and bracket 44 are in their secured position. Rear bracket 64 is hingedly secured to rear swivel base 62 by a swivel pin 68 that allows rear bracket 64 to rotate between a secured position shown in Fig. 3 by solid lines and an extended position that is shown in Figs. 3 by dashed lines. A locking dimple or mechanism 70 secures rear bracket 64 in a secured or locked position in which rear bracket 44 remains flush with the frame 12.

A front handle molding 80 is disposed within V groove 30 and attached to frame 12. Adhesive magnets 82 and 84 are mounted in handle molding 80 and allow level 10 to adhere to a metal surface for hands free operation. A front stationary bubble vial 86 is held by front handle molding 80 and a rear stationary

bubble vial 88 is held by a rear handle molding 90, which is mounted in V groove 34 with rear handle molding 90 in opposing relationship to front handle molding 80 and rear bubble vial 88 in opposing relationship to front bubble vial 86. Front and rear bubble vials 86, 88 are oriented parallel to the longitudinally extending central portion 28 of the X shaped cross section of frame 12 and are visible from the side through apertures 100 and 102 in walls 26 and 20, respectively. The other side is the same, with apertures in wall 22 and 24 making bubble vials 86, 88 visible from the other side.

A front mounting bracket 110 supports and holds a front 45-degree bubble vial 112 that is mounted at a 45 degree angle to the longitudinally extending central portion 28 of the X shaped cross section of frame 12. The rear side is the same with a rear support holding a rear 45-degree bubble vial (not shown).

~~vials 2 and stationary bubble vials 4 and adhesive magnets 8 which are mounted in the handle molding 9 attached to the middle standard. A swivel pin 10 extends through registered holes in the swivel base 11 2, 3 to permit rotation of such section relative to the swivel vials. A locking dimple or mechanism 3 14 in the swivel base engages against the swivel vials in a locked position so that it remains flush with the frame. Protective end caps 13 comprised of materials including but not limited to plastic are mounted on the extreme ends of the standard contouring flush with its (X) shape.~~

The protective Protective end caps 116, 118 results result in the invention being able to resist shock, scratch damage, and electrical conduction. The

extended (X) shape embodiment and its ~~part~~ parts are preferably constructed of materials including but not limited to aluminum, rubber, and plastic.

The Multi Plane Plumb Level comes in various lengths including but not limited to 12", 24", 36", 48" and can be described as a longitudinal/horizontal 360-degree plumb level. The design of the invention lends itself to resisting bending and the adhesive magnets 82, 84 allow the Multi Plane Plumb Level to adhere to metal surfaces for hands-free maneuverability. In addition, the almost square shape of the Multi Plane Plumb Level gives the invention a wide stance resulting in it having a low center of gravity, which retards the toppling noted in situations where prior art levels are placed on flat surfaces.

The flip out vials 46, 66 allow the invention to ~~have a simultaneous 45-degree to 45-degree plumbing capability~~ simultaneously plumb both sides of a 90-degree corner. This feature, unique to a framing level and more accurate on the working plane than a bull's eye bubble, results in the user being able to do "post plumb" and plumb intersecting ~~45-degree~~ 90-degree angles without moving (toggling) the level from one plane to the other. ~~These~~ The 45-degree vials 112 can be removed, used as a line level (trapeze level line), and returned to ~~its~~ their position for easy storage and accessibility. The ~~45-degree~~ 90-degree (V) Groove grooves 30, 32, 34, 36 on the Multi Plane Plumb Level 10 ~~allows~~ allow the level to balance with no support on non-flat objects such as but not limited to piping, round fencing, and apexes. The invention's deep centerline also aids leveling odd angled surfaces. The Multi Plane Plumb Level's use by the construction trade will be advantageous. Overall, the (X) shaped profile gives the user

additional surface angles and a wider stance applicable to a multitude of plumb, post plumb, and leveling situations.

**CLAIMS**

~~I claim the following:~~

**WHAT IS CLAIMED IS:**